

The Niagara Escarpment

the threat to the Escarpment

The Niagara Escarpment is one of Canada's most precious and widely used natural resources. Stretching 465 miles from Queenston near Niagara Falls to the tip of the Bruce Peninsula near Tobermory, the Escarpment is a mosaic of natural delights: forests, cliffs, hills, waterfalls, streams, scenic viewpoints, unusual rock formations and fascinating plant and animal life.

Such assets readily attract naturalists, hikers, skiers, anglers, campers, artists, photographers, ecologists and urbanites who simply want "to get away from it all."

Unfortunately, those same natural assets help attract certain activities and growth that could destroy the Escarpment as we know it: sprawling developments of houses and ski cabins, disruptive forms of recreation (such as snowmobiling) and a multi-million-dollar extractive industry that removes huge quantities of sand, gravel, clay, shale, rock and building stone.

Until recently, there were no common ground rules for guiding or restricting growth along the Escarpment as a whole, and no administrative machinery existed to implement such rules.

What restraints there were were imposed piecemeal by some (but not all) of the nine counties, eight conservation regions, 63 local municipalities and 31 planning-board jurisdictions in which the Escarpment was located. Even at best, their attempts to control Escarpment growth were hampered often by a lack of money and resources for proper planning and, inevitably, by a lack of co-ordination.

What was needed, then, was a single authority with the necessary resources and know-how to design a master plan to preserve and enhance the Escarpment. Its job would not be to take over all responsibility for what happened along the Escarpment, but to work out the guidelines for a broad policy — and then enlist the close co-operation of all municipalities, planning boards and other authorities involved.

THE GOAL:

maintaining the Escarpment's natural environment

The basic needs arising out of the threat to the Escarpment were clearly met with the passage of The Niagara Escarpment Planning and Development Act, 1973 which has, as its stated purpose:

- to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment.

This act also established the Niagara Escarpment Commission and directed it to seek these objectives:

- to protect unique ecologic and historic areas;
- to maintain and enhance the quality and character of natural streams and water supplies;
- to provide adequate opportunities for outdoor recreation;
- to maintain and enhance the open landscape character of the Niagara Escarpment in so far as possible, by such means as compatible farming or forestry and by preserving the natural scenery;
- to ensure that all new development is compatible with the purpose of this act;
- to provide for adequate public access to the Niagara Escarpment;
- to support municipalities within the Niagara Escarpment Planning Area in their exercise of the planning functions conferred upon them by The Planning Act.

In other words, the act makes it possible for the people of Ontario to gain the most use of the Escarpment consistent with the least disruption of the natural environment.

what the Niagara Escarpment Plan will achieve

The first major task of the Niagara Escarpment Commission is to create a plan — the Niagara Escarpment Plan — to achieve the objectives outlined in the act. Under the conditions laid down in the act itself, the plan is intended to contain policies governing:

- the management of land and water resources;
- population distribution and density;

- the general location of industry and commerce;
- identification of major land use areas;
- provision of major parks and open space;
- acquisition of land by the government;
- pollution control;
- location and development of major servicing, communications and transportation systems;
- development and maintenance of educational, cultural, recreational, health and other social facilities;
- financing and programming of public development projects and capital works;
- co-ordination of planning and development programs of the various ministries of the Niagara Escarpment Planning Area;
- private sector developments — to ensure that they will be compatible with the environment of the Escarpment.

why not buy up the whole Escarpment?

To many people concerned with conservation, the simplest solution to the Escarpment question would seem to be for the government to buy up all the land.

That's not an impossible approach, but it would be expensive: the government estimates that the cost of buying the 1.3 million acres in question would amount to almost half of Ontario's entire annual budget.

If that were the only way to save the Escarpment, it would be worth the price.

But there is another way: a combination of proper planning and appropriate land-use regulations, plus public ownership where necessary.

This is the approach the government has chosen — for several good reasons:

- It entails less expenditure of public funds.
- It involves less encroachment upon the rights and lives of residents and others who are already putting their Escarpment lands into uses compatible with the natural environment.
- Meanwhile it can achieve the same purpose as outright acquisition: in most instances, the object of buying up the Escarpment would be to make sure

the present land uses are continued. Which is precisely what proper planning and regulations will do.

how the job will get done

Through the combination of planning, regulation and acquisition, then, all 1.3 million acres of the Escarpment area will come under careful control. The government expects to acquire only a small fraction of the total area (say, 20 per cent), placing the rest under regulatory control.

While it will be up to the Niagara Escarpment Commission to work out the detailed regulations, government planners and other specialists have already suggested some of the provisions that might well become part of the operative plan.

During the Legislature's debate on THE NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT ACT in June, 1973, the Honourable John White offered a dozen examples of guidelines that might be adopted for land use along the Escarpment. Among them:

- No development permitted within 500 feet of the edge of the Escarpment.
- High density development confined to established urban areas.
- Land uses restricted to those appropriate to the locations and in keeping with the goal of substantially maintaining a natural environment.
- Proper siting of all new structures to avoid adverse impact on the natural environment.
- Prohibition of developments that would — adversely affect the ecology; — interfere with farming or forestry; — cause deterioration of streams or water supplies; — cause significant destruction of existing trees; — result in erosion or interfere with surface drainage.
- Maintenance of the open landscape character of the area to be considered paramount.

what's to be done about pits and quarries?

One of the more controversial activities along the Escarpment are pit and quarry operations, which produce construction materials vital to the continuing development of central Ontario.

Yet, as a government policy paper recently pointed out, such extractive operations are, by their very nature, disruptive to the natural environment: "No amount of 'cosmetic surgery' during or after production can hide the fact that a pit or quarry is incompatible with the accepted policy of preserving the Niagara Escarpment."

Here's how the government intends to solve this dilemma:

- Within the Niagara Escarpment planning area, the government will establish a "Pits and Quarries Restrictive Zone," delineating it to coincide with the location of prominent topographical features, unique and scenic areas and recreational sites. No new pits or quarries will be permitted within this zone.
- If any pit or quarry operations within this zone are found to conflict with the goals and objectives set out for preserving the Escarpment, the government will work with the operator to find a new location. The old site will be rehabilitated by the operator and turned over to the government.
- To protect the Escarpment's valuable mineral resources, the Niagara Escarpment Commission will be asked to designate mineral resource areas where new pits and quarries can be permitted in keeping with standards to be defined in the master plan.

a blueprint for incisive action

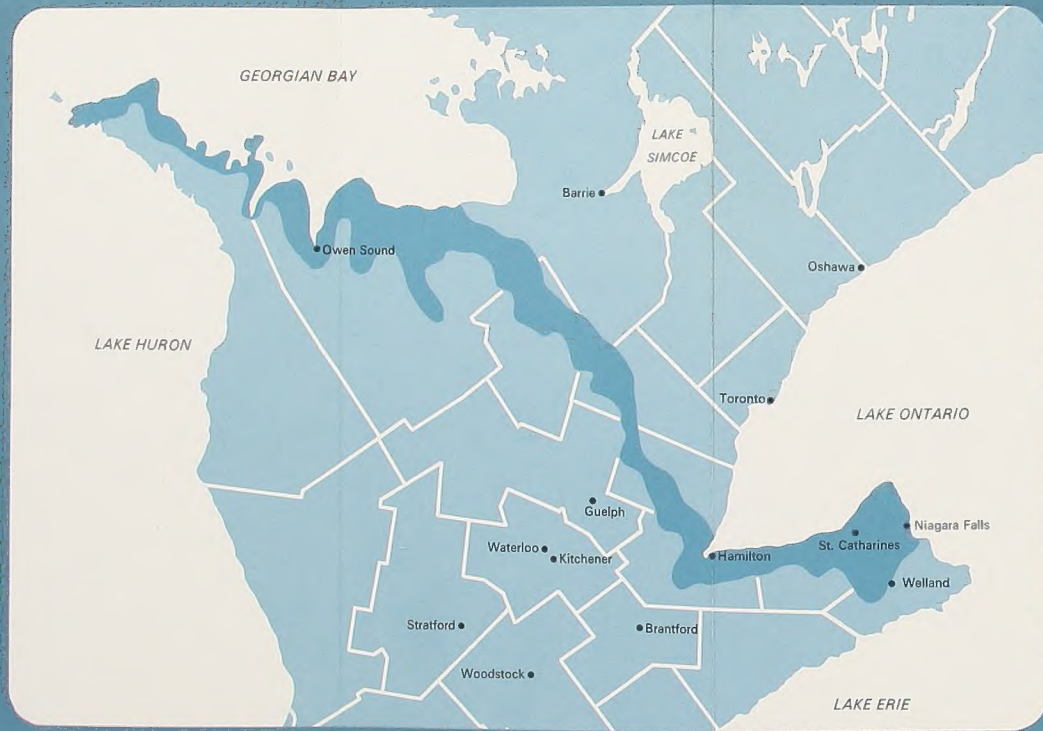
In keeping with the wishes of many thousand of Ontario people who use and enjoy the Escarpment, THE NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT ACT empowers the province — through the Cabinet or one or more ministers — to take the incisive steps that must be taken if the Escarpment is to be preserved. At the same time, the act has a built-in flexibility that will make it easy for the Niagara Escarpment Commission to foster close co-operation between the province and the counties, regions and municipalities located along the Escarpment.

Among the act's key provisions:

- Of the 17 members of the commission, eight represent regions or counties whose jurisdiction includes some part of the Escarpment planning area.
- To develop any aspect of the Niagara Escarpment Plan, the government may acquire any land within the planning area. The Minister can provide money to any person or organization (including a municipality) to help carry out any program implementing the Niagara Escarpment Plan.



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- Whenever a plan is completed for a portion of the Escarpment, the Minister can transfer powers to the region or county involved, thereby providing a significant measure of local control. If a municipality runs into expenses in the course of reconciling a conflict between its own official plan and the Niagara Escarpment Plan, the Minister can provide a grant to help cover the cost.

the vital ingredient: local participation

At every stage in the process of drawing up and implementing the Niagara Escarpment Plan, the regions, counties and municipalities along the Escarpment will be involved.

This is a matter of government policy — and a matter of law, as set out in THE NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT ACT.

During preparation of the Niagara Escarpment Plan, the Niagara Escarpment Commission is required to:

- furnish every municipality in the area with a copy of the proposed plan and invite every such municipality to make comments on it to its own county or regional council;
- publish newspaper notices advising the public about the plan and where copies of it can be seen;
- furnish copies of the plan to the Minister's advisory committees on the Escarpment — committees that are to consist of persons representing the municipalities and others representing the planning area;
- furnish copies of the plan to the counties and regions affected and invite them to comment on it;

Further local involvement is ensured by additional provisions of the act, which were outlined this way in the Legislature by the Honourable John White:

"Hearing officers may be appointed for the purpose of hearing representations by any interested party, including individual members of the public."

"The hearing officers are required to issue a public report within a specified time, and the minister is required to submit the proposed plan, with or without recommendations, to the Lieutenant Governor in Council (i.e. the Cabinet), who in turn may approve the plan or approve the plan with such modifications as the Lieutenant Governor in Council considers to be desirable."

"Thereupon, the plan becomes the Niagara Escarpment plan for that area."

"A copy of the Niagara Escarpment Plan must be then lodged with the clerk of each of the municipalities and in every land registry office within the Niagara Escarpment Planning area."

"Amendments to this plan may be initiated by the Minister or by the (Niagara Escarpment) Commission or by any person or municipality requesting such an amendment."

In short, the act combines provisions for effective controls with provisions for maximum democratic discussion, representation and action.

how you can become involved in the plan to preserve the Escarpment

If you are concerned about preserving the Escarpment, you are urged to watch for public announcements about the Niagara Escarpment Plan. Your comments and opinions will be welcomed by the Niagara Escarpment Commission and can be conveyed through various channels:

- If you live in the Escarpment planning area, your own municipal council will welcome your opinions and will weigh them as it deliberates on the planning proposals it receives from the Commission.
- County and regional councils will similarly welcome comments, especially from residents within their jurisdiction.
- Your MPP will be pleased to hear your views — and to take them into account when discussing planning proposals with provincial authorities.
- The Treasurer of Ontario will be pleased to receive submissions in regard to plans for any portion of the Escarpment. You can write to him at Queen's Park, Toronto.
- The Niagara Escarpment Commission will be constantly soliciting comments from the public about its plans and policies. The Commission will publicize the names of its chairman and the other commissioners, and the location of its office (probably in an urban community along the Escarpment).

If you would like to be on the mailing list for material and announcements from the Niagara Escarpment Commission, send a letter or postcard to this effect:

REQUEST FOR OTHER INFORMATION

To:

Information Services,
Ministry of Treasury, Economic and
Intergovernmental Affairs,
5th Floor, Frost Building South,
Queen's Park,
Toronto M7A 1A7
Ontario

Please send me your pamphlet(s) on:

☐ The Parkway Belt West

☐ The Ontario Planning and Development Act, 1973

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Name

Address

 Ministry of Treasury
Economics and
Intergovernmental
Affairs
Ontario

The Honourable John White minister
H. Ian Macdonald deputy minister